

MINUTES

NORTHEAST MUNICIPAL ADVISORY COMMITTEE MEETING

WEDNESDAY – SEPTEMBER 10, 2003

A meeting of the Northeast Municipal Advisory Committee took place on the above date at 7:00 P.M. at Michael Ann Russell Jewish Community Center, 18900 Northeast 25th Avenue, Miami, Fl.

COMMITTEE MEMBERS PRESENT:

Jaap Donath
Kenneth H. Friedman
Glenn H. Gopman
William C. Koppel
Jill B. Perez
Roslyn B. Weisblum

MIAMI-DADE COUNTY STAFF PRESENT:

Office of Management and Budget, UMSA Policy Analysis and Services Unit
Jorge M. Fernandez
Amber Riviere
Bonnie Wells, Miami-Dade Water and Sewer Department

1. The meeting was called to order.

2. **Ken Friedman, Chair**

Ken Friedman opened the meeting with a short introduction. He stated that our sole purpose is advisory and that we take no position here. We will be doing research and explore our choices. The two concerns he has heard at this point have been:

- Do we need another layer of bureaucracy?
People we have spoken to in other cities have liked the city level. Even though it may be a level of bureaucracy, it hasn't historically been a negative.
- My taxes will go up.
We do not know that. Let's not make that assumption. That is what all of this is about; we are going to get all the revenue sources from the State and the County; we are going to weigh them against the services and we will see where the taxes are. If the taxes go down or stay the same, how can you complain about more services for less money? If the taxes are higher then you have a question: how much service for the higher tax and is it worth it? These are all legitimate issues that we cannot answer today.

3. The MAC Committee Members and Miami-Dade Staff introduced themselves.

4. Glen Gopman, who is also the president of the Skylake Highland Lakes Homeowners' Association, explained why we asked for a MAC to be created. Over the years, the Homeowners Association in trying to bring improvements to the neighborhood, has worked with the County in a number of areas: special taxing districts, Highland Oaks Park, code enforcement, etc. And over the years, we had issues with getting the improvements because of lack of funding or lack of

resources. Also over the years, we've seen other areas incorporate and a lot of discussion about these areas trying to get out of UMSA so that they could provide more services to their residents or keep more of their tax dollars at home. Also as the County has grown there has been a concern of the residents that they don't really have representation in government. The County provides us with city services without the type of local representation that other cities have like a mayor and city council that works in their area to make sure that the residents get the type of improvements they should be getting or that they are paying for. It started with Pinecrest and Aventura and Sunny Isles and then it spread to Palmetto Bay and then Doral, Miami Lakes, and Miami Gardens. All of the areas of the Northeast are either incorporated now or under study. The other concern we have that as all of the areas are becoming incorporated is there is push for annexation. There are a number of annexations pushes around the County right now. So if you are not incorporated, you might become part of something else. We decided for all those reasons, because we want to have some control of our own destiny, to study this issue of incorporation for our own area and not to leave it to somebody else to make those decisions. Once we go on a mission of discovery and we start gathering facts and learning things, we might find what some of our predecessors found that they are not getting the services from the County that they are paying for with their taxes and they can get a lot more and better services for the same money at the same millage rate. All of the eight new cities have millage rates at about the same rate as the County. About 10% of your tax bill is for local services, which is the only part we are talking about. The other 90% goes to the State or the County or for a special taxing district which is totally separate.

5. Ken Friedman stated Commissioner Sally Heyman's office has provided a handout that gives the history of her Resolution and how the MAC was created. The Commissioner has kept her promise to us; her staff went through a six-hour tape about the pros and cons of incorporating and summarized it for us. Also included with the information is a history of the incorporation issue in general in the County. Coincidentally, probably the current leading candidate for mayor, is the person who made this Resolution basically that we should all be incorporated at some point or another. A lot of people on that Commission favor the concept, the view of the whole County eventually being incorporated.
6. Motion by Glen Gopman to approve the minutes of July 23, 2003, seconded by Jaap Donath.
Motion carried.
7. Ken mentioned that there was an article in the Miami Herald on August 13, 2003 that talked about the County Bond money drying up. He was at a meeting with County Manager Burgess on August 18, 2003 and he said the County is moving toward being a regional service center. Last nights meeting (Team Metro Academy) talked about there being a need for more reserves (there is a plan to take care of this). In that staff's view they said most of the County residents are moving toward incorporation; three more MACs have been formed. When discussing, in their view, what the worst problem was in Miami-Dade County they said single member districts. That is one of the reasons why we are looking for this vision and the results of this MAC because we no longer influence thirteen Commissioners. We used to control the County in terms of the vote and all thirteen of the Commissioners came to us and knew us; now that is not the case, we have one Commissioner speaking for us and not thirteen. So therefore, do we actually have a representation? We have one out of thirteen. Theoretically if you were part of a city or became a city you have your neighbors who are your representatives that you can talk to and communicate with and hopefully get some things done. The County has a sixty million dollar shortfall on sidewalk repairs. At last nights meeting they said that it takes six days to repair potholes once they

have been notified. There is enough money to water the park trees twice a year. There is a four-month backlog in cutting the trees that hide signs. Even the County is saying that there are shortcomings in the County services. That is what we need to look at: what are the shortfalls and how can we fill them effectively?

Ken stated that there is some progress going on with becoming part of Aventura. City of Aventura wants the numbers we are working on. There is a possibility that there is going to be a workshop by Aventura where there is some interest beginning to stir. We need to keep the process going, get the numbers, and then will have choices to make.

8. Bonnie Wells, Miami-Dade Water and Sewer Department

Bonnie Wells gave a short overview of the kinds of services that Miami-Dade Water and Sewer provide. Except for four cities Miami-Dade Water and Sewer serves all of the residents of Miami-Dade County with water and sewer services except for a few outlying areas that are on wells and septic tanks. They have customers that they serve directly and they also sell treated water to thirteen cities on a wholesale basis and take sewage from them and treat it at their treatment plants. There are four cities that have water treatment plants: North Miami Beach, North Miami, Florida City, and Homestead. Miami-Dade's treatment plants provide treatment capacity of about 350 million gallons per day of water and sewer. Except for the City of Homestead, they provide all of the sewage treatment within the County except for those people who are on septic tanks. In this area of the MAC, they provide some of the service and City of North Miami Beach provides some of the service. In the service that Miami-Dade provides they have water lines and sewer lines in areas and they bill the customers. They do the improvements that are needed to keep current with federal regulations as far as treatment requirements at both the water and sewer plants. They have not had a rate increase in six years. They are proposing a rate increase that would take effect on October 1, 2003 for water and sewer service. The incorporation of this area would not have any impact on the services that are being provided. The only difference that she is aware of is that the 10% tax on water service on the bill, which is now given to Miami-Dade County, would go to the new city. The City of North Miami Beach would do the same thing. This would only be true if the area is incorporated, not if there is an annexation. When there is an annexation the tax revenues stay with the County.

Bonnie Wells proceeded to answer questions from the committee and the public. A question was asked regarding what is involved in the homes that are currently on septic getting hooked up to sewer. They would need to determine if you are on septic, where the nearest sewer facilities are, and see whether those sewer facilities have the capacity to serve you. Those lines would have to be extended to serve the property and as far as the County is concerned, in those areas that they would service, the cost to do the extension is the responsibility of the property owner or the group that wants to get the service. That can be paid for either individually or a taxing district can be set up. The cost would depend on where the nearest facility is located. The four municipal utilities of North Miami, North Miami Beach, Florida City and the City of Homestead have their own water treatment plants, which are owned, maintained, and operated, by those cities. The County has no jurisdiction over those facilities and the operation of those facilities. When a single family home hooks up to the Miami-Dade water and sewer system there is a connection charge which is based on a single family home using 350 gallons per day of water and sewer; the water and sewer connection one time charge is approximately \$2500. The water line typically goes on the north side of the street in the swale area. To the extent that there is room new lines can go around existing trees. As far as Miami-Dade Water and Sewer is

concerned there is nothing inherently wrong with septic tanks if they are maintained properly; they would not make you connect to their sewer system.

9. Bill Koppel mentioned that the next scheduled date for the MAC meeting of October 1, 2003 would be a conflict with the committee meeting on transportation which is a newly formed committee for the new Dade County sales tax for transportation on how to spend the ½ cent tax. Both Ken Friedman and Bill Koppel are on that committee. Jorge Fernandez will look into changing the date and getting a location for an alternate date. The new date will be published in the Miami Herald.
10. Ken Friedman opened up the floor to public comments and questions. The comments were to be limited to two minutes each, one per person.
11. Jorge Fernandez explained that there were two items in the handouts. One was a Resolution introduced in November 1997 by Commissioner Morales; this was the famous plan where the whole County would be incorporated by 2007. That day they pulled it off the dais because that was the day they adopted Commissioner de la Portilla's Ordinance for a moratorium on incorporation after which there was a one year moratorium on all incorporations for the County to further study that. The second item was introduced in April 2002; it is another Resolution by Commissioner Morales wanting the entire County to incorporate by 2018. This item failed. Jorge Fernandez stated that there is no clear direction by the Board that this is what Dade County is going to do; they are still in the municipal services business until they decide not to be.
12. Glen Gopman mentioned that the trend for incorporation of the unincorporated areas is really indisputable. If you look at the map, in the last 8 years there have been 8 new cities formed and there are 10 areas under study as we speak. There is risks of annexation from other areas; even if some of the commercial area that doesn't affect you residentially is annexed by a neighboring city like North Miami Beach such as the Skylake Mall that would significantly impact on our ability to operate a City. So there is urgency for us to study right now. But there are two other reasons: (1) pocketbook, and (2) governance. And they are related because it is about accountability for your tax dollar. We rely on our government to be accountable to us for how our tax money is spent. The problem with living in the unincorporated areas, we're called the city of UMSA. UMSA does not have a mayor that we elect because there are 2.2 million people in Dade County and we are 16,000 people which is less than 1%. All of Dade County elects our mayor so we don't have much control over who our mayor is and our mayor is Alex Pinellas who doesn't really view himself as the mayor of our city. We do have a County Commissioner who also is elected by a population that mostly resides in incorporated cities. So even our Commissioner doesn't get elected by us, the 16,000 people in our area. We don't have a representative that we elect that is accountable to us for the way our money is spent. So when you hear about government corruption or how your money is spent, it is accountability. You hear a lot of people say we don't want another layer of government, the misconception is that you're already paying for it and you're not getting it. We are already paying something called the UMSA city taxes that other cities are operating on and getting much more services than we are getting. For example, the County has provided us with information that our area's gross revenue to UMSA is five million dollars. For that we are supposedly getting police department services for local patrol of 1.8 million dollars. In any other city budget 1.8 million dollars would give you at least 18 police officers dedicated to our small area. How many police officers do we have? Oak Forrest pays \$300,000 per year to have a roving

patrol in their neighborhood using State Highway Patrol officers, which is for 3 officers (three shifts of 8 hours each). After deducting the costs from the revenues UMSA still gets a contribution of an extra 1.35 million dollars. We need to study to see if we can do better with your tax dollar.

13. Ken Friedman said objectively at the end of the meetings you can have whatever reasons you want pro or con. If it is strictly based on numbers, how much do we pay out, what do we get in services, could we get more in services for the same revenue? All of this needs to be looked at. There will be a meeting where we will ask what additional services would you want? Then we will figure out what will it take to get those services and we will compare it to the revenue sources we have.
14. April Riviere stated what Ken Friedman was just saying is the first charge of this MAC, to collect that information and conduct an unbiased analysis. We are all entitled to our opinions; we are all entitled to share our beliefs. Part of their role here is to make sure the story stays straight and that what the facts are are what is put out there.
15. Jaap Donath mentioned that the other thing we should keep in mind is that this is just one part of the process. Once we make up our mind in some fashion it still has to go for a vote. The opinion part is still later on when the voting process takes place. This is the studying part. We are not voting here the final decision.
16. April Riviere mentioned that the committee will establish a pro forma budget, which will include the revenues and proposed first year expenditures of a proposed incorporation.
17. Glen mentioned that most of the time we have been spending at the meetings we have just been hearing County presentations but we really haven't been working on a budget; we really haven't been bidding or getting them to tell us exactly what they would recommend for our area and how much it would cost us. That is what is going to be happening in the next couple of months. The city of Miami Shores has over 40 members in their police department and their total budget is 3.5 million dollars. Glen also announced that next Wednesday night the Skylake Highland Lakes Area Homeowner's Association is sponsoring a general meeting where the guest speaker will be Pinecrest Mayor Evelyn Greer. That was one of the first cities to come out and incorporate. She has been gracious enough to come up and answer our questions about incorporation and what it has done for their city.
18. April announced that at the next meeting of this MAC the Miami-Dade Police Department will attend and provide a minimum staffing level and a cost associated with it, as well as an enhanced staffing level with its cost. She mentioned that MAC meetings are published in the local section of the Miami Herald. Also, you can contact their office directly to check on the schedules. Also, on the County website's calendar are all meetings of boards, committees, and other public meetings. There is a website being developed that includes everything from every Resolution of the MACs, FAQs, etc. Until then there is a general website for the municipal code corporation. Go to www.municode.com, go to free online codes on the left side, go to Miami-Dade County, chapter 20, and that provides all of the facts with respect to the code of Miami-Dade County which governs any incorporation and/or annexation processes.
19. Jill Perez stated that much of the information we need is available on line. She looked up other municipalities that just formed MACs, she went to every one and looked up their budgets, how

many police officers, their population, how many commissioners, what the salaries were, etc. She looked up Pinecrest, South Miami, etc. She went to every one on the map. She said it is all on line and that if you cannot find it on line, you can call up Miami-Dade and they will give you the number to all of the municipalities, the mayor, the purchasing department, etc. She took the time so that when she comes to the Committee meetings she is prepared to know what is expected of us and how to help the public in reference to other questions they have. She recommended that others look up this information. For the City of Miami Gardens' budget you can call their mayor, she wants to give you the information. She turned a lot of the information she received over to Bill Koppel for the budget committee.

20. Glen Gopman said that Miami-Dade wants this process to take some time. They want us all to study and think and do not want us rushing to conclusions. Our area has special needs such as our lakes. The lakes have a certain chemistry and biology to them that another city might not have. We might want as part of our parks department a naturalist, who would understand the lakes and could balance them as best as possible. We already have special taxing districts for many of these lakes. Other areas have golf courses to maintain that we don't. So you can't just take a city's budget, even though you might like to and it seems to fit, and say that is a budget we can run with. We have to look at every aspect of what we need for our area, contract out, speak to people who provide those services, and see what the costs are; and then see also what all the available revenues resources are for us as a city.
21. April Riviere stated that since Miami-Dade County has a home rule charter, what is in their charter and code governs their policies, on these issues Chapter 20. The other counties throughout the State of Florida that do not have home rule charters must go through the State Legislature. In Miami-Dade County the Board of County Commissioners sets the election should an incorporation or annexation occur.
22. There was some discussion between the committee members about the gathering of data for the budget. Jorge Fernandez stated that from the State a city gets revenue sharing and tax revenue. A city gets revenue sharing from the State based on population. Jorge said not to call the State twice. The State may give you estimates on the revenue sharing and sales tax revenues. You will essentially be calling the State for the revenue sharing figures; Jorge has seen them provide figures for the ½ cent sales tax and communication tax as well; it is at their discretion. The State will ask for some information such as the boundaries of the area. Budget committee meetings are also public meetings. April said to take a look at the Cutler Ridge pro forma budget. Glen said what he is trying to do is work off the sheet Jorge originally gave us to see what we're missing on the revenue side. Bill said they are also going through the other city's budgets to see what they have as revenue. Bill said the easiest part is the revenue sharing.
23. Meeting was adjourned.